



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John D. De Costa**

Date Mailed: **June 7, 2005**

Title: **Vacuum Operable Container for Storing Food**

Atty Docket No.: **NEV684**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS U.S. MAIL

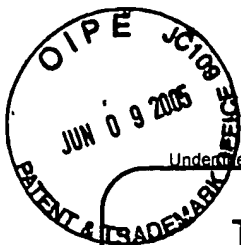
I hereby certify that the enclosed documents:

- ☐ Utility Patent transmittal letter
- ☐ Design Patent transmittal letter
- ☐ Non-publication request form
- ☐ Fee transmittal letter (claiming small entity status)
- ☐ Specification, Claims, and Abstract (pages)
- ☐ sheets of drawings (FIGS)
- ☐ Executed declaration and power of attorney
- ☐ Information disclosure statement by applicant
- ☐ Copies of cited references
- ☐ Check/credit card authorization in the amount of
- ☐ Acknowledgment Postcard
- ☒ Amendment in response to OA dated 03/07/2005
- ☒ Drawing modifications

are being deposited with the U. S. Postal Service with sufficient postage as United States Priority Mail on this **7th day of June, 2005**, and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

August A. Maxey
Signature of Person Mailing Correspondence

AUGUST A. MAXEY
Typed or Printed Name of Person Mailing Correspondence



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

10/751,187

Filing Date

01/05/04

First Named Inventor

John D De. Costa

Art Unit

3751

Examiner Name

Timothy Lewis Maust

Attorney Docket Number

NEV684

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Eight page amendment in response to 03/07/05 Office Action.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Office of Ashkan Najafi, PA		
Signature			
Printed name	Ashkan Najafi		
Date	06/07/05	Reg. No.	49078

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Dale C. Goerne	Date	06/07/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/751,187
Amdt. Dated 06/07/05
Reply to Office Action of 03/07/05

UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/751,187 Confirmation No. 3391
Applicant : John D. De Costa
Filed : January 5, 2004
TC/AU : 3751
Examiner : Maust, Timothy Lewis
Docket No. : NEV684
Customer No. : 34356

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office action of 3/07/05, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings begin on page 7 of this paper and include an attached replacement sheet.

Remarks/Arguments begin on page 8 of this paper.